

are told not to worry if their child is slower than same age peers, especially if that child is a boy. Precious time is lost waiting for children to "grow out" of their symptoms when that time could be spent receiving early intervention services.

It is important to recognize scientifically valid methods that are effective in working with people with autism. At this time, there is no cure for autism. There are, however, many effective methodologies that can improve the lives of children with autism, and Congress has a responsibility to recognize and fund practitioners and trainers of these methodologies, while also educating parents on the limitations of current treatment so that they do not fall victim to unscrupulous individuals promising easy cures.

Teachers, therapists and doctors who treat children with autism are true American heroes and deserve the best training, support and recognition we can provide. I would also like to take this opportunity to recognize some of the leading organizations in the fight for proper treatment, care and research, such as the Autism Society of America, Cure Autism Now, the National Alliance for Autism Research and Unlocking Autism.

I thank the gentleman from Massachusetts for introducing this important resolution, and I urge my colleagues to vote for it. I also urge my colleagues to promote sufficient funding this year to address the critical needs this condition presents to people living with autism nationwide.

#### SPECIAL EXPOSURE COHORT FAIRNESS ACT OF 2004

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 18, 2004*

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to introduce the Special Exposure Cohort Fairness Act of 2004.

On October 30, 2000, the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) was enacted into law. The purpose of this law was to provide for timely, uniform, and adequate compensation of covered employees suffering from illnesses incurred as a result of their work at Department of Energy facilities. While this law's enactment was welcome and past due, serious flaws in the program have been apparent during the years since its passage, and delays in getting compensation to workers have been numerous.

The language in Subtitle B of the EEOICPA clearly states that where it is not feasible to estimate with sufficient accuracy the radiation dose of a class of workers, and if there is a reasonable likelihood that the radiation dose may have endangered the health of the members of the group, that class of workers may petition to be included in a Special Exposure Cohort. Special Exposure Cohort status provides an automatic presumption of causation for 22 radiation-related cancers. When the law was passed, Special Exposure Cohorts were designated by Congress at four facilities.

The men and women who were exposed to harmful doses of radiation while working at the Los Alamos National Laboratory have waited years for the Secretary of Health and Human

Services to issue a rule designating the process for classes of workers to petition to be in a Special Exposure Cohort. As a result of this unfair delay, workers have been unable to file petitions to become members of a Cohort. Four years after the bill was passed in Congress, a Special Exposure Cohort rule was finally issued last night. But workers cannot wait any longer for their compensation—it is simply unfair to ask them to do so. Moreover, a report issued on May 5, 2004 by the National Institute for Occupational Safety and Health (NIOSH) of the CDC stated that some facilities are not consistently providing adequate responses to data requests for dose reconstruction. The report details the Los Alamos National Laboratory's (LANL) lack of full compliance. Data issued in the report shows that of the 548 dose reconstruction cases pending with LANL on January 15 of this year, 499 had been pending for over 150 days.

The bill I am introducing today is a step in the right direction to help many of my constituents who have suffered because of their having worked at Los Alamos National Laboratory. I continue to hear from constituents who were exposed to harmful doses of radiation and who are wondering why they have had to wait years to receive their compensation. Workers cannot wait any longer for a flawed bureaucratic process to start working.

My bill allows energy employees who were employed for at least 250 days between 1945 and 2000 at the Los Alamos National Laboratory Area G, linear accelerator, or who were security guards or construction workers, to be considered as members of a Special Exposure Cohort. In addition, the bill will allow employees who worked anywhere at Los Alamos National Laboratory, and whose records have not been received by NIOSH from the Lab within 200 days of receipt, to qualify under the Special Cohort. It is worth noting that the enactment of the legislation would not preclude additional groups of workers in New Mexico from seeking to become part of the Special Exposure Cohort.

Subtitle B is unfortunately only one component of the original EEOICPA law that needs amending. There are many outstanding issues that I will continue to work on with my colleagues, including fixing physicians panels, speeding up dose reconstructions, and locating a willing payer for all meritorious claims. This bill represents just one step in the larger fight to ensure that energy workers get the compensation they deserve.

Since enactment of the EEOICPA in 2000, the New Mexico legislature has passed two House Joint Memorials calling for the creation of a Special Exposure Cohort for the facilities listed in this bill. Hearings have been conducted; reports have been issued. Meanwhile, many of the claimants in this program are so ill that they may never see the compensation check that they deserve—a small source of comfort for them and their families in return for the harmful exposures they suffered. It is time for action.

STATEMENT OF KATHY MARTINEZ, MEMBER OF THE NATIONAL COUNCIL ON DISABILITIES (NCD), ON INTERNATIONAL DISABILITY RIGHTS: THE PROPOSED UN CONVENTION

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 18, 2004*

Mr. LANTOS. Mr. Speaker, on March 30th, the Congressional Human Rights Caucus held a groundbreaking Members' Briefing entitled, "International Disability Rights: The Proposed UN Convention." This discussion of the global situation of people with disabilities was intended to help establish disability rights issues as an integral part of the general human rights discourse. The briefing brought together the human rights community and the disability rights community, and it raised awareness in Congress of the need to protect disability rights under international law to the same extent as other human rights through a binding UN convention on the rights of people with disabilities.

Our expert witnesses included Deputy Assistant Secretary of State Mark P. Lagon; the Permanent Representative of the Republic of Ecuador to the United Nations, Ambassador Luis Gallegos; the United Nations Director of the Division for Social Policy and Development in the Department of Economic and Social Affairs, Johan Scholvinck; the distinguished former Attorney General of the United States, former Under-Secretary General of the United Nations and former Governor of Pennsylvania, the Honorable Dick Thornburgh; the President of the National Organization on Disability (NOD), Alan A. Reich; Kathy Martinez, a member of the National Council on Disabilities (NCD); and a representative of the United States International Council on Disabilities (USCID) and Executive Director of Mental Disability Rights International, Eric Rosenthal.

As I had announced earlier, I intend to place the important statements of our witnesses in the CONGRESSIONAL RECORD, so that all of my colleagues may profit from their expertise, and I ask that the statement of Kathy Martinez be placed at this point in the CONGRESSIONAL RECORD.

"INTERNATIONAL DISABILITY RIGHTS: THE PROPOSED UNITED NATIONS CONVENTION," MARCH 30, 2004, WASHINGTON, DC

NCD is an independent federal agency whose members are appointed by the President to advise the President, the Administration and Congress on disability policy issues. NCD supports House Concurrent Resolution 169, which expresses the Sense of Congress that the U.S. should support a UN Convention on the rights of people with disabilities.

As a group composed of some 600 million people worldwide, people with disabilities are a sizable global population. More compelling, however, than the sheer magnitude of this population, is the appalling history regarding the denial of even the most basic human rights of people with disabilities in both the developed and the developing countries. Even in the 21st century, the Department of State Country Reports has revealed that people in psychiatric facilities are restrained in cages and are subjected to serious human rights abuses. In the late 1990s, governments in many countries in Europe, Asia,